

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Inventor: Christopher J. Calhoun

Serial No.: 10/631,980

Filed: July 31, 2003

For: RESORBABLE THIN
MEMBRANES

Examiner: BETTON, TIMOTHY E.

Group Art Unit: 1617

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Your petitioner, MAST Biosurgery AG, having a place of business at Claridenstrasse 25, CH-8002 Zürich, Switzerland, by its attorney, Kenton R. Mullins, of record in the above-identified application, represents that it is the assignee, as shown by the assignment recorded in the U.S. Patent and Trademark Office on March 29, 2004 at Reel/Frame 015153/0566 (7 pages), of the entire right, title and interest in and to the above-identified application.

Pursuant to 37 CFR 3.73(b), your petitioner, as assignee of the above-identified application, hereby states that the above-noted assignment, the evidentiary document on which ownership of the above-identified application is established, has been reviewed. Further, your petitioner hereby certifies that, to the best of your petitioner's knowledge and belief, title to the above-identified application is in your petitioner, as assignee seeking to take the action in this Terminal Disclaimer.

Your petitioner, MAST Biosurgery AG, hereby disclaims the terminal part of any U.S. patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. 6,673,362 and hereby agrees that any U.S. patent so granted on the above-identified application shall be enforceable only for and during such period that said patent is commonly owned with U.S. Patent No. 6,673,362, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. 6,673,362 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of common ownership stated above.

Dated this 17th day of February, 2009.

Respectfully submitted,

/krm/

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